Provided that if at any time it shall appear to the satisfaction of the Court that the lunatic has not sufficient property, and that no person legally bound to maintain such lunatic has sufficient means for the payment of such cost, the Court shall certify the same instead of making such order for the payment of the cost as aforesaid.

(2) An order under sub-section (1) shall be enforced in the same manner and shall be of the same force and effect and subject to the same appeal as a decree made by the Court in a suit in respect of the property or person therein mentioned.

Amendment of order or certificate.

Amendment of order or certificate.

24. If after the reception of any lunatic into the asylum on a reception order, it appears that the order upon which he was received or the medical certificate or certificates upon which such order was made is or are defective or incorrect, the same may at any time afterwards be amended by the person or persons signing the same with the sanction of two or more of the visitors of the asylum, one of whom shall be a medical officer.

CHAPTER III.

CARE AND TREATMENT.

Visitors.

Appointment of visitors.

25. (1) Government shall appoint for the asylum not less than three visitors, one of whom at least shall be a medical officer.

(2) The Inspector-General of Prisons shall be a visitor *ex-officio* of the asylum.

Monthly inspection by visitors.

26. Two or more of the visitors, one of whom shall be a medical officer, shall once at least in every month together inspect every part of the asylum and see and examine, as far as circumstances will permit, every lunatic and boarder therein and the order and certificate for the admission of every lunatic admitted since the last visitation of the visitors and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the management and condition of the asylum and the inmates thereof.

Inspection of criminal lunatics by Inspector-General or visitors.

27. (1) When any person is confined under the provisions of Section 466 or Section 471 of the Code of Criminal Procedure, 1904, the Inspector-General of Prisons, if such person is confined in a jail or the visitors of the asylum or any two of them, if he is confined in the asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector-General or by two of such visitors as aforesaid; and such Inspector-General or visitors shall make a special report as to the state of mind of such person to the authority under whose order he is confined.

(2) Government may empower the officer in charge of the jail in which such person may be confined to discharge all or any of the functions of the Inspector-General under sub-section (1).

Discharge of lunatics.

Order of discharge from asylum by visitors.

28. (1) Three of the visitors of the asylum, of whom one shall be a medical officer, may, by order in writing, direct the discharge of any person detained in the asylum, and such person shall thereupon be discharged.

Provided that no order under this sub-section shall be made in the case of a criminal lunatic, otherwise than as provided by section 20 of this Regulation.

(2) When such order is made, if the person is detained under the order of any public authority, notice of the order of discharge shall be immediately communicated to such authority.

Discharge of lunatics in other cases.

29. A lunatic detained in the asylum under a reception order, made on petition, shall be discharged if the person on whose petition the reception order was made so applies in writing to the person in charge of the asylum:

Provided that no lunatic shall be so discharged if the officer in charge of the asylum certifies in writing that the lunatic is dangerous and unfit to be at large.

Order of discharge on undertaking of relative for due care of the lunatic.

30. When any relative or friend of a lunatic detained in the asylum under the provisions of section 12 or 13 is desirous that such lunatic shall be delivered over to his care and custody, he may make application to the authority under whose order the lunatic is detained, and such authority, if it thinks fit, in consultation with the person in charge of the asylum and with the visitors or with one of them being a medical officer, and upon such relative or friend entering into a bond with or without sureties for such sum of money as the said authority thinks fit conditioned that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or to others, may make an order for the discharge of such lunatic, and such lunatic shall thereupon be discharged.

Discharge of person subsequently found on inquisition not to be of unsound mind.

31. If any lunatic detained in the asylum on a reception order made under sections 6, 9, 12 or 13 is subsequently found on an inquisition under Chapter IV not to be of unsound mind and incapable of managing himself and his affairs, the person in charge of the asylum shall forthwith, on the production of a certified copy of such finding, discharge the alleged lunatic from the asylum.

Escape and re-capture.

Order to justify detention and recapture after escape.

32. Every person received into the asylum under any such order as is required by this Regulation, may be detained therein until he is removed or discharged as authorized by law, and in case of escape may, by virtue of such order, be re-taken by any police officer or by the person in charge of the asylum, or any officer or servant belonging thereto, or any other person authorized in that behalf by the said person in charge, and conveyed to and received and detained in the asylum:

Provided that in the case of a lunatic not being a criminal lunatic the power to re-take such escaped lunatic under this section shall be exercisable only for a period of one month from the date of his escape.

CHAPTER IV.

PROCEEDINGS IN LUNACY.

Inquisition.

Power of District Court to institute inquisition as to persons alleged to be lunatic.

33. Whenever any person is possessed of property and is alleged to be a lunatic, the District Court within whose jurisdiction such person is residing may, upon application, by order direct an inquisition for the purpose of ascertaining whether such person is of unsound mind and incapable of managing himself and his affairs.